



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
KEVIN W. CONCANNON, DIRECTOR

September 19, 2008

GENERAL LETTER NO. 13-G-30

ISSUED BY: Bureau of Financial and Work Supports,
Division of Financial, Health and Work Supports

SUBJECT: Employees' Manual, Title 13, Chapter G, **CHILD CARE ASSISTANCE**,
pages 3 through 6, 41, 42, 45, and 51, revised; and page 42a, new.

Summary

This chapter is revised to:

- ◆ Clarify that a household may apply for child care on the *Health and Financial Support Application* at an interview for another program or before action is taken on the application for the other program. When this occurs the application date for CCA will be the date the application was filed for the other program.
- ◆ Add the requirement that nonregistered child care homes must meet the definition of a child care home.
- ◆ Clarify that background checks only have to be done on the provider and not others in the home when the family uses a provider that comes into the family's home to provide care.
- ◆ Adjust the rate ceilings for basic and special needs care.

Effective Date

October 1, 2008

Material Superseded

Remove the following pages from Employees' Manual, Title 13, Chapter G, and destroy them:

<u>Page</u>	<u>Date</u>
3-6	July 6, 2007
41, 42	August 8, 2008
45	September 28, 2007
51	July 6, 2007

Additional Information

A letter was sent out on August 15, 2008 to registered and licensed child care providers. The letter informed them of the maximum payment rates for Basic and Special Needs care. Enclosed with this letter was a *CCA Provider Agreement*. Providers were told that if they wanted their payment rates reviewed, they were to fill out the *CCA Provider Agreement* and mail it to their local DHS office as soon as possible.

If the provider is eligible for a rate increase, complete the new *CCA Provider Agreement* and return it to the provider to implement the revised rate and enter the rate change into the POSS system. The effective date of the provider's payment rate adjustment will be October 1, 2008, or the first of the month the Department receives their Provider's *CCA Provider Agreement*, whichever is later.

Please remember to send any updated *CCA Provider Agreements* to PROMISE JOBS.

Refer questions about this general letter to your area service administrator, income maintenance administrator, or Iowa Workforce Development coordinator.

Application

Legal reference: 441 IAC 170.3(237A,239B)

Families apply for Child Care Assistance (CCA) at the Department's local office in the county where the family resides. There are two application forms a person can use to apply for CCA:

- ◆ *Child Care Assistance Application*, 470-3624 or 470-3624(S), or
- ◆ *Health and Financial Support Application*, 470-0462 or 470-0466 (Spanish).

To be considered valid, the application must contain a legible name and address and must be signed.

The effective date of application is the date a signed and dated application is received and date-stamped in a local office. When an application is delivered to a closed local office, consider it received on the first day that is not a weekend or state holiday following the day that the local office was last open.

Accept applications made by:

- ◆ The applicant,
- ◆ The applicant's authorized representative, or
- ◆ Someone acting responsibly for the applicant, when the applicant is incompetent or incapacitated.

EXCEPTIONS: The following do not have to complete a child care application:

- ◆ Parents receiving court-ordered services.
- ◆ Families receiving protective child care services.
- ◆ Participants in PROMISE JOBS-approved activities.
- ◆ Families receiving FIP.

These families do not need to complete a child care application. These families are eligible for CCA so long as their FIP or PROMISE JOBS eligibility continues, their need for protective care continues, or the court order remains in place. The start date of services is the date that child care service begins.

When a family applies for CCA, provide the applicant with the brochure *Child Care Assistance*, Comm. 62 or Comm. 62(S).

A household might not check all the programs on the *Health and Financial Support Application* for which it wants to apply. If the applicant asks to apply for CCA during an interview for another program, or before you take action on the application, allow the applicant to check the applicable box.

The application date for CCA is the same date as the application for the programs that were initially checked on the application form.

Exception: When the applicant files a different application form, such as form 470-0306 or 470-0307, *Application for Food Assistance*, and during the interview decides to apply for CCA, the applicant must file either a *Health and Financial Support Application* or a *Child Care Assistance Application* to be considered for CCA. The date you get the *Health and Financial Support Application* or the *Child Care Assistance Application* is the date of application for CCA.

Income information reported on the application must be supported by verification. To verify income, request supporting documentation, such as pay stubs, employer statements, social security checks, and child support payments. Document the income in the case file. EXCEPTION: Provide child care services to the following people without regard to income:

- ◆ People needing protective child care services.
- ◆ People who are participating in activities approved under the PROMISE JOBS program.
- ◆ People who are recipients of the Family Investment Program (FIP), or whose earned income was taken into account in determining the needs of the FIP recipient.

NOTE: Eligibility for CCA continues for a FIP family who does not get a grant because the grant amount is under \$10.

Families already receiving CCA are not required to reapply when the family moves to a different county. Transfer the case file to the county where the family now resides.

NOTE: If FIP or PROMISE JOBS eligibility ends, the family must apply for CCA using the income guidelines found at [Financial Eligibility](#). However, if the family was receiving CCA before losing FIP or PROMISE JOBS eligibility, you will redetermine eligibility for the family using form 470-4377(M) or 470-4377(S), *Child Care Assistance Review*.

When a family is determined eligible for CCA, the date the Department's local office stamped on the application is the start date of benefits.

The following sections give more information on:

- ◆ [Voter registration procedures](#)
- ◆ [Priority for child care services](#)
- ◆ [Placement on a waiting list when Child Care Assistance is not available](#)
- ◆ [Administration of Child Care Assistance waiting lists](#)

Voter Registration Procedures

Legal reference: 721 IAC Chapter 23

The Department is responsible for helping clients complete voter registration forms, and for mailing the forms to the county election office. (The actual voter registration occurs at the election office.) Issue voter registration forms with all applications. See [6-Appendix](#) for a copy of the voter registration form.

NOTE: For Child Care Assistance (CCA) administered through the PROMISE JOBS office, this step is not necessary, as voter registration has already been offered as part of the FIP application process.

At each interview, ask if the client wants to register to vote. If the client has not filled out the voter registration form before the interview, have the client complete the form at the interview.

If the client wants to register, offer to help the client complete the form. Be careful when helping the client that you do not influence the client's voter registration options in any way. Review the client's rights as listed on the form.

If the client chooses not to check yes or no, leave the section blank and consider the client has chosen not to register to vote.

If the client chooses not to sign the form, print the client's name and the date where indicated, and initial the form.

Tear off the voter registration information section and give it to the client. Keep the declination part of the form. Follow your office procedures for handling the form after completion.

For a phone interview, ask the questions and send the form to the client for signature. No follow-up is necessary after the form has been mailed to the client. If the form is returned, follow your office procedures for handling it.

If you are mailing an application packet to a client, include a voter registration form in the packet. No follow-up is necessary after the form has been mailed to the client. If the form is returned, follow your local office procedures for handling the form.

Priority for Service

Legal reference: 441 IAC 170.2(3)

The Department has the authority to implement waiting lists for Child Care Assistance (CCA) when funds are insufficient to serve additional families beyond those already receiving services and those requiring protective child care. Exceptions to placement on the waiting list are as follows:

- ◆ Families who are eligible for protective child care services.
- ◆ Recipients of FIP or people whose earned income was taken into account in determining the needs of FIP recipients.
- ◆ Participants in approved PROMISE JOBS activities.
- ◆ Families receiving CCA that have a change in circumstances that result in the need for care for another child. This includes a newborn child. The new child is approved for assistance when the family reports the change.

People covered by these exceptions are always eligible for CCA, notwithstanding the lack of funding.

When there is a waiting list, the priority groups as established in state law define which families receive services first. The amount of funds available determines the number of priority groups from whom applications will be taken. As funds become available, families are approved for services in the following order of prioritization:

1. a. Families who are at or below 100 percent of the federal poverty level whose members are employed at least 28 hours per week, and
- b. Parents with a family income at or below 100 percent of the federal poverty level who are under the age of 21 and are participating in an educational program leading to a high school diploma or equivalent.
2. Parents with a family income at or below 100 percent of the federal poverty level who are under the age of 21 and are participating at a satisfactory level in an approved training program or in an education program.

NOTE: If the DCPD system indicates that the provider already has a *Child Care Assistance Provider Agreement* on file with DHS, provide copies of the form to the requester as needed.

Nonregistered Providers

Legal reference: 441 IAC 170.4(3) "f" and "h"

People who do business as a nonregistered child care home must meet the definition of a child care home, pass the required background checks, meet all minimum health and safety requirements, and complete the appropriate paperwork.

To meet the definition of a child care home the provider must provide care in a single-family residence that the provider owns, rents, or leases. Exception: A provider that goes into the family's home to care for children (In-Home care) does not have to meet the residence requirement.

If the setting meets the definition of a child care home, determine if the provider meets all other eligibility criteria. If the setting **does not** meet the definition of a child care home, the provider is not eligible to care for children at that location.

People who have a founded child abuse record or criminal conviction cannot legally provide child care or get Child Care Assistance (CCA) payments, unless the Department finds through an evaluation of the records that the person is eligible to provide child care. This requirement also applies to people age 14 or over who live in the home of the provider or have access to a child when the child is alone.

The Department checks these records before licensing or certifying registration of a child care provider. However, providers who provide care for five children or less are not required to register with the state.

Any person who provides child care services to a CCA recipient, and anyone age 14 or over who lives in that home or has access to a child when the child is alone, must have successfully completed criminal, sex offender, and child abuse record checks.

DHS staff follow four steps to obtain approval to pay nonregistered providers. (PROMISE JOBS staff complete only steps one, two, and three.)

1. Check to see if the family's chosen provider is already an approved nonregistered provider by accessing Day Care Provider Display (DCPD) screens. See 14-H, [*CHILD CARE PROVIDER DISPLAY \(DCPD\) SYSTEM*](#).

The DCPD screens provide information about what type of provider the family has chosen, and whether the provider has signed a *Child Care Assistance Provider Agreement*.

2. If the provider has not yet been approved as a nonregistered provider for the CCA program, issue the following to the provider, with instructions to return the forms to your office:
 - ◆ Pamphlet Comm. 95 or Comm. 95(S), *Minimum Health and Safety Requirements for Nonregistered Child Care Home Providers*.
 - ◆ Form 470-2890, *Payment Application for Nonregistered Providers*.
 - ◆ Form 595-1489 or 595-1489(S), *Non-Law Enforcement Record Check Request Form A* (one form for each person over age 13 who lives in the household or has access to the children in care).
 - ◆ Form 470-3871, *Child Care Assistance Provider Agreement*.
 - ◆ A self-addressed-stamped-envelope.
3. Once these forms are received, complete forms 470-0643, *Request for Child Abuse Information*, for the same people listed on form 595-1489 or 595-1489(S) and form 595-1494, *Non-Law Enforcement Record Check Billing Form*. See [*Criminal and Child Abuse Record Checks*](#) for procedures. See [*6-Appendix*](#) for instructions on these forms.
4. DHS staff finish the provider approval process by:
 - ◆ Obtaining the results of the background, sex offender, and abuse checks,
 - ◆ Approving or denying the *Child Care Assistance Provider Agreement*, and
 - ◆ Providing PROMISE JOBS workers with information as necessary.

NOTE: If the DCPD system indicates that the provider already has a *Child Care Assistance Provider Agreement* on file, it is not necessary to fill out new forms or to complete new background and abuse checks. Send copies of the form to the requester as needed.

Nonregistered in-home care and child care home providers must sign and return forms 470-2890, 470-3871, and 595-1489 or 595-1489(S) to the local DHS office and pass the criminal, sex offender, and child abuse record checks before payment will be made.

Signature on form 470-2890, *Payment Application for Nonregistered Providers*, certifies the provider's understanding of and compliance with the conditions and requirements for nonregistered providers. These include:

- ◆ Minimum health and safety requirements.
- ◆ Limits on the number of children for whom care may be provided.
- ◆ Unlimited parental access to the child during hours when care is provided.
- ◆ Conditions that warrant nonpayment.
- ◆ Prohibitions on persons who have been convicted of a crime or have a founded and registered child abuse providing child care.

NOTE: If the provider goes into the child's own home (an in-home provider), do the background checks on the provider, but not on the provider's family, unless the provider's family members will have contact with the children.

Send the *Non-Law Enforcement Record Check Request Form A* to DCI along with form 595-1494, *Non-Law Enforcement Record Check Billing Form*. If you send several *Requests* at the same time, send only one *Billing Form*. (If you send *Requests* without a billing form, DCI will return them, as incomplete.)

When the criminal records check is completed, DCI will return the form **by regular mail** to the local DHS office shown in the upper right corner of the form, under "From: _____". (You may submit forms to DCI by regular mail OR by fax, but they are returned by regular mail ONLY.)

Once the abuse check is completed, the designated county DHS worker returns form 470-0643 to the DHS Child Care Assistance worker.

Check the Sex Offender Registry for all individuals listed on the *Non-Law Enforcement Record Check Request Form A*, form 595-1489 or 595-1489(S), as follows:

- ◆ Access the Sex Offender Registry at: www.iowasexoffender.com.
- ◆ Enter the person's last name:
 - Select ALL under "county." Do not choose a specific county.
 - Select SEARCH.
- ◆ If the search shows a conviction that occurred in Iowa, check the DCI form to make sure this conviction also appears there.
- ◆ If the search shows a conviction that occurred outside Iowa, add this conviction to the letter that is sent with form 470-2310, *Record Check Evaluation*.

When all of the record checks have been returned and all are clear, proceed with approving the *Child Care Assistance Provider Agreement*. (If PROMISE JOBS is approving the child care case, inform PROMISE JOBS staff whether the provider is approved, and if so, provide PROMISE JOBS staff with a copy of the completed *Child Care Assistance Provider Agreement*, form 470-3871.)

"Nonregistered child care home" means a family child care home caring for five or fewer children (including relative care) that is not registered with the state.

"Infant and toddler" means a child aged two weeks to two years.

"Preschool" means a child aged two years to kindergarten ("school aged"). Approve preschool rates for summer hours before kindergarten classes begin.

"School aged" means a child in attendance in full-day or half-day classes, including kindergarten.

Basic Care Rate

Legal reference: 441 IAC 170.4(7)"a"

The maximum rate of payment by age of child and type of provider for a half-day of basic care is shown in Table I that follows:

Table I. Half-Day Rate Ceilings for Basic Care				
Age Group	Child Care Center	Child Development Homes:		Nonregistered Family Home
		Category C	Category A or B	
Infant and Toddler	\$15.81	\$11.73	\$12.24	\$8.19
Preschool	\$12.75	\$11.48	\$11.48	\$7.19
School Aged	\$11.48	\$10.20	\$10.20	\$7.36

Special Needs Rate

Legal reference: 441 IAC 170.4(7)"a"

The maximum rate of payment by age of child and type of provider for a half-day of special needs care is shown in Table II below:

Table II. Half-Day Rate Ceilings for Special Needs Care				
Age Group	Child Care Center	Child Development Homes:		Nonregistered Family Home
		Category C	Category A or B	
Infant and Toddler	\$48.96	\$12.63	\$16.07	\$10.24
Preschool	\$28.69	\$12.63	\$14.92	\$ 8.99
School Aged	\$28.60	\$11.48	\$13.77	\$ 9.20